REMARKS

Claim 1 has been amended to incorporate the subject matter of claim 13 and specify the polyether segments of a) have a molecular weight of at least 6000, and the polyether of b) has a molecular weight of 3000 to 12,000. Accordingly, claims 13-16 and 22-24 have been cancelled. No new matter has been added by the amendments.

Claims 1-4, 13-16 and 25 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,932,652 ("Roesler, et al.") in light of U.S. Patent No. 5,756,751 ("Schmalstieg, et al.") and U.S. Patent No. 5,068,304 ("Higuchi, et al.").

The Examiner indicates Roesler, et al. discloses a moisture-curable polyether urethane having terminal silane groups derived from an isocyanate-containing polyether and a compound containing an alkoxysilane group and an aspartate group. The Examiner further indicates that Schmalstieg, et al. discloses a moisture-curable polyether urethane having at least two cyclic urea/reactive silane groups. The Examiner asserts it would have been obvious to include the cyclic urea/reactive silane groups in the polyether of Roesler, et al. However, the Examiner indicates Higuchi, et al. discloses the use of polyethers having a degree of unsaturation of not higher than 0.07 meq/g in a moisture-curable polyether urethane, and indicates that based on the disclosed advantages of a low degree of unsaturation, it would be obvious to use polyethers having such a low degree of unsaturation in the compositions of Roesler, et al.

First, Applicants disagree with the Examiner's assertion the polyethers of Roesler, et al. satisfy the molecular weight requirements of the present invention. As amended, claim 1 now requires component a) has polyether segments, wherein the individual polyether segments have a molecular weight of at least 6,000. In contrast, the compounds according to Roesler, et al. are based on polyols (including the polyethers) having a molecular weight from 400 to 6,000 (col. 5, lines 11-25).

Thus, even if Roesler, et al. is modified by the teachings of Schmalstieg, et al. and Higuchi, et al. in the manner suggested by the Examiner, one would still not arrive at the presently claimed invention.

Furthermore, Applicants disagree with the Examiner's alleged motivation for modifying Roesler, et al. by including the cyclic urea/reactive silane groups taught in Schmalstieg, et al., namely, "to afford a moisture-curable polyether urethane that does not suffer from the incompatibility, inhomgeneity and viscosity problems. (col. 1, lines 7-10 and col. 2, lines 22-45)." Applicants refer the Examiner to col. 2, lines 13-21 of Schmalstieg, et al., wherein patentees state: "U.S. Pat. No. 5,364,955 discloses that by initially reacting amino-functional silanes with maleic or fumaric acid esters to form secondary amino groups (i.e., aspartates), it is then possible to react these aspartates with NCO prepolymers without encountering incompatibility, inhomogeneity or extremely high viscosities in the reaction products." Applicants note the aspartates of U.S. Pat. No. 5,364,955 are used in the compounds of Roesler, et al. (col. 4, lines 12-27). Thus, the Examiner's alleged motivation for combining the teachings of Roesler, et al. and Schmalstieg, et al. is purely fictional. As such, the Examiner has failed to make out a *prima facie* case of obviousness under 35 U.S.C. §103(a), and withdrawal of the rejection is respectfully requested.

In view of the above amendments and remarks, reconsideration of the rejections and allowance of Claims 1-4, 10-12 and 25 are respectfully requested.

Respectfully submitted,

By _____
Robert S. Klemz
Attorney for Applicants
Reg. No. 46,305

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Bayer MaterialScience LLC
100 Bayer Road
Pittsburgh, Pennsylvania 15205-9741
PHONE NUMBER:
(412) 777-3808
FACSIMILE:
(412) 777-3902
s:\shared\jmf\RSK7631.amd